

REMARKS

Claims 10 and 11 have been canceled without prejudice.

New Claim 13 has been added based on original Claim 1.

Claims 1-9 and 12-13 are in the application.

Claim 1 has been amended to specify that the composition comprises a nitrogen containing dye fixing agent.

Attached hereto is a marked-up version of the changes made to the claims by the current amendment. The attached page is captioned "Version with Markings to Show Changes Made".

Specification

An Abstract of the Disclosure is attached hereto.

Rejections under 35 U.S.C. §§ 101, 112

Claims 10 and 11 have been rejected under 35 U.S.C. § 101 and 35 U.S.C. § 112, second paragraph, because the claims provide for the use of a surface agent in a composition, but does not set forth any steps involved in the method/process. Applicants have now canceled Claims 10 and 11 without prejudice.

Rejections under 35 U.S.C. §§ 102, 103

Claims 1, 2, and 4-12 have been rejected under 35 U.S.C. § 102(b) as being anticipated by GB 2,303,146 ("GB '146"). Applicants respectfully traverse this rejection. GB '146 teaches a laundry or dishwashing composition comprising a cationic ester surfactant and a soil release polymer selected from the group consisting of oligoester soil release polymers and polyamine soil release polymers. The cationic ester surfactant is preferably a quaternary ammonium compound. GB '146 does not teach or suggest, however, a composition comprising a nitrogen containing dye fixing agent and a scum reducing agent selected from the group consisting of a water-soluble cationic surface active agent; a polyoxyalkylene amine surface active agent, and mixtures thereof, as presently claimed. Applicants thus submit that the present claims are patentable over GB '146 under 35 U.S.C. § 102(b).

Claim 3 has been rejected under 35 U.S.C. § 103(a) as being unpatentable over GB '146. Applicants respectfully traverse this rejection. As discussed supra, the present claims require a nitrogen containing dye fixing agent combined with certain scum reducing agents which is not taught or suggested by GB '146. Applicants thus submit that the present claims are unobvious and patentable over GB '146 under 35 U.S.C. § 103(a).

CONCLUSION

In view of the foregoing amendments and accompanying remarks, reconsideration of the application and allowance of all claims are respectfully requested.

Respectfully submitted,

R. CEULEMANS ET AL.

By


Jason J. Camp

Attorney for Applicant(s)

Registration No. 44,582

(513) 627-8150

January 2, 2003

CM1882am.doc

Customer Number: 27752

VERSION WITH MARKINGS TO SHOW CHANGES MADEIN THE SPECIFICATION

An Abstract of the Disclosure has been added.

IN THE CLAIMS

Claims 10 and 11 have been canceled without prejudice and new Claim 13 has been added.

Claim 1 has been amended as follows:

1. (Amended) A fabric care composition comprising:

- i)- a nitrogen containing [compound selected from a polyamino-functional polymer, a] dye fixing agent, [and mixtures thereof,] and
- ii)- a scum reducing agent selected from the group consisting of a water-soluble cationic surface active agent[;], a polyoxyalkylene alkyl amine surface active agent, and mixtures thereof [;

with the proviso that when the sole nitrogen containing compound is a polyamino-functional polymer, the polymer is present in amounts greater than 1% by weight].